

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

G.F.F., *et al.*,

Petitioners–Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Respondents–Defendants.

Case No. 1:25-cv-02886

REQUEST FOR MODIFICATIONS REGARDING CLASS CERTIFICATION ORDER

Petitioners-Plaintiffs (“Petitioners”) submit the following requests to the Court regarding the class certification order:

- (1) The Court certified a class designated as follows: “All noncitizens in U.S. custody in the Southern District of New York who were, are, or will be subject to the March 2025 Presidential Proclamation entitled ‘Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren De Aragua’ and/or its implementation, who have not been given notice following the Supreme Court’s decision of April 7, 2025, *Trump v. JG.G.*, No. 24A931, 2025 WL 1024097, and granted a hearing.” Although, Petitioners’ proposed class was also limited to those in “U.S. custody,” Petitioners respectfully request that the Court delete “U.S.” from the class definition. Petitioners make this request to resolve any confusion that the class would not include those who may be detained in state custody and designated under the Alien Enemies Act.

(2) Petitioners move the Court to strike Democracy Forward as class counsel. Petitioners inadvertently included Democracy Forward in the signature block for the class certification motion. Democracy Forward is not currently counsel in this case. Instead, Petitioners move the Court to add the New York Civil Liberties Union as class counsel.

Dated: April 10, 2025

My Khanh Ngo*
Noelle Smith*
Oscar Sarabia Roman*
Cody Wofsy*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
425 California Street, Suite 700
San Francisco, CA 94104
(415) 343-0770
mngo@aclu.org
nsmith@aclu.org
osarabia@aclu.org
cwofsy@aclu.org

Amy Belsher
Robert Hodgson
Molly Biklen
New York Civil Liberties Union
125 Broad Street, 19th Floor
New York, NY 10004
Tel: (212) 607-3300
abelsher@nyclu.org
rhodgson@nyclu.org
mbiklen@nyclu.org

Respectfully submitted,

/s/ Daniel Galindo

Daniel Galindo
Lee Gelernt*
Ashley Gorski
Omar C. Jadwat
Hina Shamsi
Patrick Toomey
Sidra Mahfooz*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION,
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2660
lgelernt@aclu.org
dgalindo@aclu.org
agorski@aclu.org
ojadwat@aclu.org
hshamsi@aclu.org
ptoomey@aclu.org
smahfooz@aclu.org

Attorneys for Plaintiffs-Petitioners

**Pro hac vice motions forthcoming*